No. 98-1036

Supreme Court, U.S.
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In The
SUPREME COURT OF THE UNITED STATES
October Term, 1998

The STATE OF ILLINOIS,

Petitioner,

v.

SAM WARDLOW,

Respondent.

On Writ of Certiorari to the Supreme Court of the State of Illinois

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AMICUS CURIAE BRIEF OF THE NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, POLICEMEN'S BENEVOLENT AND PROTECTIVE ASSOCIATION OF ILLINOIS, AND ILLINOIS POLICE ASSOCIATION, IN SUPPORT OF PETITIONER

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STATEMENT OF INTEREST OF *AMICI CURIAE*

Amici curiae National Association of Police Organizations, Inc. ("NAPO"), Policemen's Benevolent and Protective Association of Illinois ("PB&PA of Illinois"), and the Illinois Police Association ("IPA") submit this brief in support of Petitioner State of Illinois.[1] The *amici curiae* seek to reverse the judgment of the Supreme Court of Illinois, which affirmed the judgment of the Appellate Court of Illinois. That court reversed the trial court's denial of Respondent Sam Wardlow's motion to suppress physical evidence seized from him, which served as the basis for the charges against him and his conviction--based on a stipulated set of facts--during a bench trial.

NAPO is a national non-profit organization, representing state and local law enforcement officers in the United States.[2] Specifically, NAPO is a coalition of police associations and unions that serves to advance the interests and legal rights of law enforcement officers through advocacy, education, and legislation. NAPO represents 4,000 law enforcement organizations, with over 220,000 sworn law enforcement officers (including police officers, deputy sheriffs, state troopers, highway patrol officers, and traffic enforcement personnel) and 3,000 retired officers. In Illinois, NAPO represents the two other *amici curiae*, the PB&PA of Illinois and the IPA.

The PB&PA of Illinois is a nonprofit organization, comprised

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[1]Pursuant to Supreme Court Rule 37.6, no counsel for any party in this case authored this *amicus curiae* brief in whole or in part, and no person or entity, other than the *amici curiae* and its members, made a monetary contribution to the preparation or submission of the brief.

[2]NAPO's section 501(c)(3) affiliate, the National Law Enforcement Officers' Rights Center of the Police Education and Research Project, advocates the fundamental due process and workplace rights of officers.

of approximately 180 local units that include both active and retired municipal, county and state police officers. The PB&PA of Illinois is currently the second largest police organization in the State of Illinois, representing several thousand working police officers statewide, including Chicago Police Department Sergeants, Lieutenants, and Captains, through collective bargaining and legal and legislative advocacy. The IPA, an organization dedicated to advancing the interests of law enforcement officers, represents several thousand active and retired officers, including many from the Chicago Police Department.

The members of all three *amici curiae* associations have a significant interest in the important issues of law before this Court. Officers are sworn to enforce the criminal laws. To do so, they investigate potential violations in those localities with a reputation for high crime, apply their common sense, rely on their experience in deciding what is suspicious behavior, and stop individuals for questioning whenever they have reasonable suspicions of criminal behavior by such individuals, including suspicious flight.

If this Court were to hold that an individual's precipitous flight from identifiable law enforcement officers, either in or outside a high crime area, does not constitute an articulable fact sufficient to give rise to a reasonable suspicion of criminal behavior, then serious consequences would occur. Fewer individuals engaging in highly suspicious behavior would be questioned; fewer unlawfully concealed weapons would be found; more crimes would go unresolved; culpable individuals would commit even more crimes and victimize more individuals; and, in the end, we would become a more dangerous society.

In addition, should this Court accept an anticipated argument by an *amicus curiae* submitting a brief in support of the Respondent, asserting that the "high crime" designation of an area heavily populated by individuals of a racial or ethnic minority is constitutionally impermissible, and that the police should reduce their efforts in such areas, then the above consequences would be even more profound, particularly for the law-abiding residents of

these neighborhoods.

The Court's adoption of a clear and simple rule, authorizing investigative stops whenever an individual suspiciously flees from the police, would benefit effective and reasonable law enforcement efforts. Such a rule would support law enforcement officers who are called upon to make investigative stops whenever they have reasonable suspicion of criminal behavior.

In summary, NAPO seeks to provide the Court with meaningful insight into certain perspectives of the law enforcement profession. These include: first, the compelling need for police officers to investigate a suspect's flight upon seeing an officer, because such flight does constitute a reasonable suspicion of criminal behavior, both in high crime areas and other locales; and second, law enforcement's responsibility to allocate resources to and be present in high crime areas, thus designated based on the experience of officers and also, if available, statistical evidence.

WRITTEN CONSENT OF THE PARTIES

Counsel of record on behalf of *amici curiae* has received the written consents of the Petitioner and the Respondent, pursuant to Supreme Court Rule 37.3(a). These letters of consent have been filed with the Clerk of the Court.

STATEMENT OF THE CASE

The *amici curiae* adopt the factual statement in the State of Illinois's December 22, 1998, petition for a writ of certiorari. What follows is a shorter narrative of the facts and proceedings, with additional statistical information.

On September 9, 1995, Officer Timothy Nolan was assigned to the special operations section of the Chicago Police Department to investigate narcotics sales in the Department's 11th District. Officer Nolan testified at the suppression hearing that District 11 is a high crime area, and that the locale of 4035 West Van Buren is

particularly known to have "high narcotics traffic". In fact, according to Chicago Police Department statistics, District 11 ranked 1st in murder and robbery, and 2nd in aggravated assault and criminal sexual assault out of all of the 25 police districts in the city in 1997.[3]

On September 9th, Officer Nolan was in full police uniform. He and seven other officers were driving eastbound on West Van Buren in four police vehicles.[4] As the officers were traveling Van Buren Street, Officer Nolan saw the Respondent, Sam Wardlow, standing near the front of 4035 West Van Buren. The Respondent looked at the officers and "took off running" away from them. Officer Nolan could see that the Respondent was carrying a bag under his arm. Officer Nolan pursued the Respondent, who ran down a gangway and then southbound through an alley. Officer Nolan and his partner were eventually able to corner the Respondent in the vicinity of 4036 West Congress Street.

Still in uniform, with his badge, patch, and name tag visible, Officer Nolan exited his vehicle and stopped the Respondent for the purpose of conducting a field interview. Officer Nolan testified that it is common to find weapons in the vicinity where narcotics are sold. Therefore, without asking the Respondent any questions, Officer Nolan conducted a "protective pat-down" search "for [his] own safety." In doing so, Officer Nolan squeezed the outside of the white opaque plastic bag that the Respondent was holding under his arm. The officer felt an object that was hard, heavy and similar in shape to a revolver. Officer Nolan then looked inside the bag and found a Colt .38 caliber handgun loaded with five bullets. The

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[3]*See* table in Appendix One of this brief.

[4]At least four cars are needed to converge on the same location because of the large number of people normally gathering in such an area, some of whom are buying unlawful drugs, while others are serving lookouts. In the instant case, Officer Nolan's car was last in the line of vehicles driving in the area. Officer Nolan could not recall if his police car was marked or unmarked.

officer arrested the Respondent, who was subsequently charged with two counts of Unlawful Use of a Weapon by a Felon and two counts of Unlawful Use of a Weapon (Indictment No. 95-CR-26952).

Respondent filed a pre-trial motion to suppress physical evidence. The trial court denied Respondent's suppression motion. The court observed that it is common knowledge that police officers know the areas where drugs are being sold, and that they also know the general areas where contraband, including weapons, are being carried. The trial judge found that police officers have a right to drive in these areas. The judge also observed that anybody can identify a police car, be it marked or unmarked. Based on all of the attendant circumstances, including the Respondent's awareness of the conditions that attracted the officers' presence in the area and the Respondent's flight upon looking in the officers' direction, the trial judge concluded that Officer Nolan was justified in stopping and questioning the Respondent, and in doing so, had a right to protect himself by conducting a pat-down search. Finally, the judge noted that once a person flees, after having looked in the direction of a police officer, "there's reason to think there's a problem; [the officers] have a right to make inquiry."

Following a stipulated bench trial, the Respondent was found guilty of the offense of Unlawful Use of a Weapon by a Felon and was sentenced to two years imprisonment.

Respondent appealed to the Illinois Appellate Court, First District, on the ground that the trial court erred in denying his motion to suppress the gun that was seized from him during the investigatory stop. On March 18, 1997, the Illinois Appellate Court reversed the trial court's decision, finding that the motion to suppress evidence should have been granted, because the revolver was discovered as a result of an improper investigatory stop. *People v. Wardlow*, 678 N.E.2d 65, 68 (Ill. App. Ct. 1997).

The State of Illinois appealed this decision to the Illinois Supreme Court. On September 24, 1998, the Illinois Supreme

Court affirmed the Illinois Appellate Court's decision to suppress the evidence, and found that Officer Nolan was unable to point to specific facts corroborating the inference of guilt gleaned from the defendant's flight. As a result, the Illinois Supreme Court held that the stop, search, and subsequent arrest of Respondent Wardlow were unconstitutional under the Fourth Amendment. *People v. Wardlow*, 701 N.E.2d 484, 488 (Ill. 1998).

The State of Illinois petitioned the Supreme Court of the United States for a writ of certiorari on December 22, 1998. The Court granted review on May 3, 1999.

SUMMARY OF ARGUMENT

Under the constitutional standard established in *Terry v. Ohio*, an officer may stop and investigate unusual or suspicious behavior, when the officer reasonably believes that the individual is engaged in criminal activity. Fleeing at the sight of a police officer--an obviously extreme means of avoiding the police--is a strong common-sense indicator of a guilty conscience in the minds of both a reasonable police officer and an ordinary citizen. Thus, flight is an "objective manifestation" giving rise to an articulable suspicion that the fleeing individual has committed or is about to commit a crime. As such, it justifies a temporary detention of the individual involved, allowing the police officer to briefly investigate his or her suspicious behavior.

Therefore, the Respondent's sudden and unprovoked flight upon viewing Police Officer Nolan was sufficiently suspicious by itself to justify a temporary investigatory stop pursuant to *Terry v. Ohio*. A reasonable police officer charged with enforcing the law and maintaining peace cannot ignore the inference that criminal activity may be afoot; to do otherwise, would be a dereliction of duty with serious consequences to public order.

In addition, characteristics of a geographic area may be taken into account in assessing the totality of suspicious circumstances. Consequently, an area's reputation for criminal activity is an

appropriate, articulable, and integral fact to consider when determining whether an investigative detention is reasonable under the Fourth Amendment. Succinctly stated, the location where suspicious behavior occurs is highly relevant in determining the existence of reasonable suspicion for a *Terry* stop. Hence, even if the Court decides that suspicious flight from a police officer is not, by itself, sufficient to give rise to reasonable suspicion, the fact that such flight occurred in a high crime area is an additional element, the combination of which strongly infers a guilty conscience in the person fleeing. Thus, fleeing in a high crime area supports a reasonable suspicion and justifies an investigative detention.

The reputation of an area for having substantial criminal activity can be based, not only on the objective knowledge and experience of police officers, but on verifiable and quantifiable data. Sophisticated data collection, geographical computer and other mapping, and detailed geographical analysis systems have all become an essential part of crime prevention. Determining which locales or neighborhoods are high crime areas, and knowing what types of crimes are prevalent in those areas, results in a more efficient allocation of resources and thus more effective law enforcement, as was occurring in this case.

Chicago Police District 11, where the Respondent fled from the police, is such a high crime area. In 1997, District 11 had a higher overall total crime rate than 13 of the 25 police districts, roughly an equal crime rate to two of the districts, and a lower crime rate than 9 of the districts. When broken down further, this data reveals that in 1997, District 11 had the highest number of murders and robberies, and the second highest number of criminal sexual assaults and aggravated assaults, of all the police districts in Chicago. This data clearly indicates that District 11 is a high crime area, and contradicts the Respondent's assertion, as stated in his brief in opposition to the petition for a writ of certiorari, of lack of evidence on that issue.

The ability to quantify reports of crime refutes any claim that the police disproportionately or discriminatorily target areas that

have large ethnic or racial minority populations, thus causing those areas to have higher than average arrest statistics, an argument which we anticipate may be posited by an *amicus curiae* on behalf of the Respondent. Any such assertion is erroneous for all for the following reasons: first, victim reports and calls for service are factored into the data; and, second, research demonstrates that not all minority neighborhoods suffer from high crime and victimization, and that high crime also exists in other neighborhoods. This is certainly the case in Chicago. The Chicago data set forth in this brief demonstrates that neighborhoods in Chicago, as elsewhere, do not have to be predominately populated by racial or ethnic minorities in order to be labeled as high crime areas. Thus, when patrolling any of these locales, a Chicago police officer would take into account that he or she is, in fact, in a high crime area, when considering the totality of the circumstances applying to a particularly suspicious individual or situation.

This rebuts insinuations that using area as a factor in determining reasonable belief has a discriminatory effect on racial or ethnic minorities. If anything, the opposite is true. While objective statistics do show that many high crime areas are found in urban neighborhoods with large racial or ethnic minority populations, data also show that the minority residents of these neighborhoods are much more concerned about crime and have higher victimization rates than any other demographic group. In fact, crime prevention efforts targeting specific neighborhoods have served as an invaluable tool in providing the residents of these communities with the protection that they not only desire, but so rightly deserve. To reduce law enforcement efforts in these neighborhoods would disproportionately subject their law-abiding residents to increasing victimization and would be a clear denial of the Equal Protection Clause of the Fourteenth Amendment.

In summary, the totality of circumstances demonstrates a reasonable suspicion that the Respondent was engaged in criminal behavior, and justifies the investigative detention of the Respondent. Therefore, the subsequent search and arrest of the Respondent were valid under the Fourth Amendment.

ARGUMENT

I. Flight of an individual, upon seeing a law enforcement officer, is undeniably suspicious activity because it is well settled in the law that flight is consistent with recent, ongoing or planned criminal behavior. Such flight creates a reasonable suspicion in the mind of a police officer that the individual has engaged or may engage in criminal activity. Therefore, it justifies an investigative stop of the individual under the Fourth Amendment.

The Fourth Amendment to the United States Constitution prohibits "unreasonable searches and seizures". In *Terry v. Ohio*, 392 U.S. 1, 88 S.Ct. 1868 (1968), this Court created an exception to the general rule that, under the Fourth Amendment, searches and seizures are invalid unless supported by probable cause. In *Terry*, the Court held that certain seizures are justifiable under the Fourth Amendment if there is an articulable suspicion that a person has committed or is about to commit a crime. *Id.* at 26. While recognizing that a temporary investigative stop by a police officer is a "seizure" under the Fourth Amendment, this Court held that a police officer may stop and investigate unusual behavior, even without probable cause to arrest, when the officer reasonably concludes that the individual is engaged in criminal activity. *Id.* at 22. In so doing, the Court explained that in order to justify a warrantless intrusion, the police officer need not have probable cause to make an arrest, but "must be able to point to specific and articulable facts which, taken together with rational inferences from those facts, reasonably warrant that intrusion." *Id.* at 21-22.

The *Terry* investigative stop focuses on the reasonableness of the officer's conduct. *State v. Jackson*, 434 N.W.2d 386, 389 (Wis. 1989). . The constitutional validity of such a stop hinges on whether or not "the facts available to the officer at the moment of the seizure or the search warrant a man of reasonable caution in the belief that the action taken was appropriate." *Terry*, 392 U.S. 1 at 21-22. In order to establish the reasonableness of an officer's conduct, the investigative stop must be "justified by some objective

manifestation that the person stopped is, or is about to be, engaged in criminal activity." *Brown v. Texas*, 443 U.S. 47, 51, 99 S.Ct. 2637, 2640 (1979).

Because the temporary detention of a person for the purpose of investigating possible criminal activity is less intrusive than an arrest, the standard for such a stop, "reasonable suspicion", is less demanding than the "probable cause" standard needed for an arrest. *United States v. Cortez*, 449 U.S. 411, 417, 101 S.Ct. 690, 695 (1981). A reasonable suspicion to investigate unusual behavior, is based on "some objective manifestation" that "criminal activity is afoot." *Cortez*, 449 U.S. at 417. In *United States v. Sokolow*, 490 U.S. 1, 7, 109 S.Ct. 1581, 1585 (1989), this Court stated: "[The] 'reasonable suspicion' necessary to justify a brief, investigative detention is a level of suspicion that is 'obviously less demanding than that for probable cause' and can be established by 'considerably less than proof of wrongdoing by a preponderance of the evidence.'" In *Alabama v. White*, 496 U.S. 325, 330, 110 S.Ct. 2412, 2416 (1990), this Court stated that the "reasonable suspicion" standard is different than the probable cause standard in terms of the quality and content of the information required to establish it; therefore, "reasonable suspicion can arise from information that is less reliable than that required to show probable cause." *Id.*

In determining the reasonableness of the investigative stop, due weight must be given to the officer's experience and training, and the evidence must be viewed as it would "be understood by those in law enforcement." *Cortez*, 449 U.S. at 418. Thus, the facts are viewed "through the eyes of the reasonable and prudent police officer on the scene who must react to events as they unfold." *State v. Andrews*, 565 N.E.2d 1271, 1273 (Ohio 1991). And "The officer's experience may be a consideration in ascertaining whether his inferences from the given facts were reasonable." *State v. White*, 660 So.2d 515, 519, (2nd Cir. 1995).

In the mind of a reasonable police officer, or even an ordinary citizen for that matter, flight at the sight of police officers is

indicative of a guilty conscience. In *Peters v. New York*, 392 U.S. 40, 67, 88 S.Ct. 1889, 1905 (1968), this Court stated that "deliberately furtive actions and flight at the approach of strangers or law officers are strong indicia of mens rea." The 6th Circuit has held that "Flight invites pursuit and colors conduct which hitherto has appeared innocent", *United States v. Pope*, 561 F.2d 663 (6th Cir. 1977), because, as the 4th Circuit maintains, most people do not normally break into flight in the opposite direction upon seeing a police officer. *See United States v. Haye*, 825 F.2d 32 (4th Cir. 1987). Clearly, it defies common sense to conclude that flight at the sight of police officers is not "undeniably suspicious behavior." *State v. Anderson*, 454 N.W.2d 763 (Wis. 1990). As iterated long ago, "Wicked people run away when no one chases them, but those who live right are as brave as lions." Proverbs 28:1, *Holy Bible* (C.E.V.).

Admittedly, suspicious behavior is, by its very nature, ambiguous. *State v. Williamson*, 524 A.2d 655, 660 (1987). In *Reid v. Georgia*, 448 U.S. 438, 441, 100 S.Ct. 2752, 2754 (1980), this Court stated that "there could ... be circumstances in which wholly lawful conduct might justify the suspicion that criminal activity was afoot." *Id.* Thus, the possibility of an innocent explanation does not "deprive the officer of the capacity to entertain a reasonable suspicion of criminal conduct." *Williamson*, 524 A.2d at 660. In reality, the principal function of the *Terry* investigative stop is to resolve the ambiguity inherent in suspicious behavior, such as flight at the sight of a police officer, in order to allow the officer to establish whether the individual is in fact engaged in illegal activity. *In re Tony C.*, 582 P.2d 957, 960 (Cal. 1978). The *Terry* investigative stop recognizes that the essence of good police work embodies the officer's ability to perform a brief stop of an individual, who flees at the sight of the police, "in order to determine his identity or to maintain the status quo momentarily while obtaining more information." *Adams v. Williams*, 407 U.S. 143, 145-146, 92 S.Ct. 1921, 1923 (1972). By investigating the matter further, the police are able to quickly determine whether they should allow the suspect to "go about his business or hold him to answer charges." *In re Tony C.*, 582 P.2d at 960.

Furthermore, in *Adams v. Williams*, *supra*, this Court held that the Fourth Amendment does not require a police officer who lacks the precise level of information necessary for probable cause to arrest to simply "shrug his shoulders and allow a crime to occur or a criminal to escape." 407 U.S. at 145. Thus, while it is true that on rare occasion individuals flee at the sight of the police for reasons other than guilt associated with criminal activity, "a reasonable police officer who is charged with enforcing the law as well as maintaining peace and order cannot ignore the inference that criminal activity may well be afoot." *Anderson*, 454 N.W.2d at 766. In the present case, it would have been substandard police work had Officer Nolan failed to investigate Respondent Wardlow's suspicious behavior of fleeing at the sight of the police officers.

The manner in which a person avoids the police is an important aspect in determining the reasonableness of the police officer's decision to briefly detain an individual. In cases where flight has been held to indicate consciousness of guilt, the accused reacted to "a known police presence by running, rather than walking, away." *Smith v. United States*, 558 A.2d 312, 316-317 (D.C. 1989). There is a fundamental difference between an individual's constitutional right to move away from the police by refusing to listen or answer the officer's questions and the situation here, where an individual "took off running" after looking at the police officer. In *Florida v. Royer*, 460 U.S. 491, 498, 103 S.Ct. 1319, 1324 (1983), this Court stated that a person approached by a police officer, "need not answer any question put to him; indeed, he may decline to listen to the questions at all and may go on his way." *Id.* (quoting *Terry v. Ohio*, 392 U.S. at 32-33).

In the present case, the key issue is whether a person's sudden and unprovoked flight is sufficiently suspicious to justify a temporary investigatory stop pursuant to *Terry*. In *People v. Souza*, 885 P.2d 982, 988 (Cal. 1994), the court stated, "There is an appreciable difference between declining to answer a police officer's questions during a street encounter and fleeing at the first sight of a uniformed police officer." Fleeing at the sight of the

police is a much stronger indicator of consciousness of guilt than declining to answer a police officer's questions, because it shows "not only [an] unwillingness to partake in questioning but also [an] unwillingness to be observed and possibly identified." *Id.* Thus, extreme means of avoiding the police, such as high-speed flight, justifies a temporary investigative stop.

In order for a law enforcement officer to meet the "reasonable suspicion" standard, enabling the officer to investigate unusual behavior, he or she must articulate something more than an "inchoate and unparticularized suspicion or 'hunch' that the individual has been, is, or is about to be engaged in criminal activity." *Terry*, 392 U.S. at 27. The flight that occurred in this case is certainly much more than a "unparticularized suspicion" or "hunch".

Furthermore, a decision by this Court, holding that flight at the sight of law enforcement officers is a sufficient "objective manifestation" giving rise to "reasonable suspicion," would not give the police unbridled power to make arbitrary or capricious stops, nor would it alter what constitutes probable cause. Rather, it would simply allow the officer to temporarily stop the fleeing individual. As the Wisconsin Supreme Court stated in *Anderson*, 454 N.W.2d at 768, "We emphasize that the temporary stop we authorize is just that: temporary. It is not, without more, an arrest with all the rights the police have attendant to an arrest. It is the right to temporarily freeze the situation in order to make investigative inquiry." Ultimately, the reasonableness of a *Terry* investigative stop comes down to a common sense question which "strikes a balance between the interests of society in solving crime and the members of that society to be free from unreasonable intrusions." *State v. Guzy*, 407 N.W.2d 548 (Wis. 1987), *cert. denied*, 484 U.S. 979, 108 S.Ct. 494 (1987).

In sum, flight at the sight of a police officer is an "objective manifestation" which gives rise to an articulable suspicion that the fleeing individual has committed or is about to commit a crime. Therefore, a police officer is justified in temporarily detaining that

individual to further investigate his or her suspicious behavior. A decision by this Court embodying this clear and simple rule would benefit effective and reasonable law enforcement efforts and support law enforcement officers who are called upon to make investigative stops whenever they have reasonable suspicion of criminal behavior.

II. If flight by an individual, upon seeing the police, is not sufficient to constitute a "reasonable suspicion" of criminal behavior, then the presence of that individual in an area known for its high number of criminal offenses committed, based on statistical evidence or the officer's experience, is a significant articulable fact and a legitimate factor in determining "reasonable suspicion" of criminal activity.

A. A geographic area's reputation for criminal activity is an appropriate and legitimate factor for use when assessing the totality of the circumstances as to whether an investigative detention is reasonable under the Fourth Amendment. An area's definite reputation for such activity and the flight of an individual upon seeing the police in such an area constitutes a reasonable suspicion of criminal behavior or activity.

In *United States v. Brignoni-Ponce*, 422 U.S. 873, 95 S.Ct. 2574 (1975), this Court recognized that the characteristics of a geographic area may be taken into account in determining whether or not "reasonable suspicion" exists to justify a *Terry* investigative stop. In that case, which concerned the ability of the Border Patrol to stop a vehicle near the Mexican border, the Court stated:

> Any number of factors may be taken into account in deciding whether there is reasonable suspicion to stop a car in the border area. Officers may consider the characteristics of the area in which they encounter a vehicle. Its proximity to the border, the usual patterns of traffic on the particular road, and previous experience with alien traffic are all relevant. [Citations omitted.]

> They may also consider information about recent illegal border crossings in the area. The driver's behavior may be relevant, as erratic driving or *obvious attempts to evade officers* can support a reasonable suspicion.

Id. at 885. (Emphasis added.)

In *United States v. Cortez, supra*, this Court recognized the importance of considering the "totality of the circumstances" in determining the validity of an investigative stop. The Court stated:

> Courts have used a variety of terms to capture the elusive concept of what cause is sufficient to authorize police to stop a person. Terms like "articulable reasons" and "founded suspicion" are not self-defining; they fall short of providing clear guidance dispositive of the myriad factual situations that arise. But the essence of all that has been written is that the totality of the circumstances--the whole picture--must be taken into account. Based upon that whole picture the detaining officers must have a particularized and objective basis for suspecting the particular person stopped of criminal activity.

449 U.S. at 417-418. The Court delineated a two-part test for analyzing the "totality of the circumstances", each of which must be present before a stop is permissible. First, the assessment of the stop must be based upon all the circumstances and, second, the assessment must raise a suspicion that the particular individual being stopped has been, is, or is about to be, engaged in wrongdoing. *Id.* at 418.

As to the circumstances surrounding a *Terry* investigative stop, the Court stated in *Cortez* that:

> The analysis proceeds with various objective observations, information from police reports, if such are available, and consideration of the modes or patterns of operation of certain kinds of lawbreakers. From these

> data, a trained officer draws inferences and makes deductions--inferences and deductions that might well elude an untrained person.

Id. Thus, in determining whether or not to make an investigatory stop, a police officer can take into consideration the area where the suspicious behavior occurred. The Court further stated:

> [This case] implicates all of the principles just discussed--especially the imperative of recognizing that, when used by trained law enforcement officers, objective facts, meaningless to the untrained, can be combined with permissible deductions from such facts to form a legitimate basis for suspicion of a particular person and for action on that suspicion.

Id.

Furthermore, in explaining the deference courts should give to law enforcement officers' conclusions concerning the "totality of the circumstances", the Court stated:

> The process does not deal with hard certainties, but with probabilities. Long before the law of probabilities was articulated as such, practical people formulated certain common sense conclusions about human behavior; jurors as fact finders are permitted to do the same--and so are law enforcement officers. Finally, the evidence thus collected must be seen and weighed not in terms of library analysis by scholars, but as understood by those versed in the field of law enforcement.

Id.

In *People v. Souza, supra,* another case addressing flight, the California Supreme Court, relying on *Terry* and *Cortez,* held that "[a]n area's reputation for criminal activity is an appropriate consideration in assessing whether an investigative detention is

reasonable under the Fourth Amendment." 885 P.2d at 991 (citing *United States v. Sharpe,* 470 U.S. 675, 682-683, note 3, 105 S.Ct. 1568, 1573-1574, note 3 (1985)). While noting that presence in a high crime area is not, standing alone, sufficient to justify a *Terry* investigative stop, the California court recognized that there are certain geographical areas where crime is more prevalent, as compared to other areas. *Id.* (citing *People v. Holloway*, 176 Cal. App. 3d 150, 155 (1985)). In *Souza*, the court specifically considered the disproportional concentration of crime in certain geographic areas and the need for law enforcement officers to protect the citizens of these high crime areas; the court stated:

> Nevertheless, it would be the height of naivete not to recognize that the frequency and intensity of these sorry conditions are greater in certain quarters than in others. Consequently, we must allow those we hire to maintain our peace as well as to apprehend criminals after the fact, to give appropriate consideration to their surroundings and to draw rational inferences therefrom, unless we are prepared to insist that they cease to exercise their senses and their reasoning abilities the moment they venture forth on patrol.

Id. at 991 (citing *People v. Holloway*, 176 Cal. App. 3d 150, 155 (1985)).

In *United States v. Rundle*, 461 F.2d 860 (1972), the United States Court of Appeals for the Third Circuit held that a high crime area is a significant factor in justifying a *Terry* investigative stop. In that case, two Philadelphia police officers observed four males running from the steps of a drug store in an area known for burglaries. In holding that the police officers had a reasonable suspicion that the suspects were involved in criminal activity, the court focused on the fact that the police officer's testimony established that the "area was in a high crime district, and that the officers were always on the lookout for robberies of business establishments." *Id.* at 862. The court explained that:

> When they [officer Meehan and officer Penko] first observed the four young men the officers were on their way to the drug store for the specific purpose of signing a log in the store. The stores in the neighborhood maintained such logs because the police were required to check those locations at regular intervals to guard against robberies. Robberies usually took place around the time the store opened and around closing time, which was 10 P.M. When he saw the young men fleeing from the drug store, he concluded a crime was either being perpetrated or about to be perpetrated.

Id.

In *State v. Andrews*, *supra,* the Ohio Supreme Court held that "[a]n area's reputation for criminal activity is an articulable fact which is a part of the totality of circumstances surrounding a stop to investigate suspicious behavior." 565 N.E.2d at 1274. In that case, a police officer was patrolling a locale that was an "area high in drug activity, violence, and weapons-related crime." *Id.* at 1271. In its holding, the court stated that the officer was "an experienced police officer with twelve and a half years on the force" and was "aware of the character of the area as he had been working there for a month and a half, and he was also familiar with police activity reports for the area." *Id.* at 1271-1274. Accordingly, the court found that the facts, including the locale's reputation as a high crime area, supported the officer's reasonable suspicion that the suspect was engaged in criminal activity. *Id.* at 1274.

In summary, under the totality-of-the-circumstances analysis, a geographical area's reputation for criminal activity is an appropriate factor in assessing the reasonableness of an investigative stop. As stated in *Souza, supra,* "[T]ime, locality, lighting conditions, and an area's reputation for criminal activity all give meaning to a particular act of flight, and may suggest to a trained officer that the fleeing person is involved in criminal activity." 885 P.2d at 991. Therefore, presence in a high crime area, coupled with an individual's "nervousness or flight or

suspicious actions upon approach of the officers, is sufficient to justify an investigatory stop." *Id.; see also State v. Jones*, 450 So.2d 692 (La. Ct. App. 1984); *State v. Stinnett*, 760 P.2d 124 (Nev. 1988); *State v. Butler*, 415 S.E.2d 719 (N.C. 1992); *State v. Glover*, 806 P.2d 760 (Wash. 1991); and *Stephenson v. United States*, 296 A.2d 606 (D.C. 1972).

B. A geographic area's reputation for criminal activity is usually known to law enforcement officers, based on their experience and familiarity with the area or on verifiable and objective criteria, including statistical data on the number of offenses reported and committed, or both. Official statistics confirm that the Chicago Police Department's 11th District is a demonstrated high crime area.

While courts have widely accepted the use of a locale's reputation for criminal activity as a legitimate factor to be assessed when determining the existence of reasonable suspicion justifying a *Terry* stop, there are some who charge that factoring in an area's reputation for crime is inappropriate. They discredit the legitimacy of the existence of high crime areas, referring to them as "so called high crime areas,"[5] and have gone so far as to assert that "some police officers describe all areas that way."[6] Critics also argue that there are no objective criteria established for determining how much crime is required to qualify an area as having high crime,[7]

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[5]David A. Harris, *Factors for Reasonable Suspicion: When Black and Poor Means Stopped and Frisked*, 69 IND. L.J. 659, 660 (1994)(citations omitted).

[6]*Id.* at 672 (citing Sheri L. Johnson, *Race and the Decision to Detain a Suspect*, 93 YALE L.J. 214, 222 n.42 (1983)).

[7]Brian J. O'Connell, *Search and Seizure: The Erosion of the Fourth Amendment Under the Terry-Standard, Creating Suspicion in High Crime Areas*, 16 U. DAYTON L. REV. 717, 729 (1991) (citing *People v. Bower*, 24 Cal. 3d 638, 648 n.8, 597 P.2d 115, 120 n.8, 156 Cal. Rptr. 856, 860 n.8 (1970)).

and that "the eagerness with which locations are declared high crime areas should generate skepticism in courts, but it does not."[8]

In response, *amici curiae* law enforcement officer associations assert that "high crime areas" are not determined in an arbitrary and capricious manner, but are so defined based on verifiable quantitative and qualitative factors, as well as strong anecdotal evidence. While *amici curiae* are not suggesting that a suspect's presence in such an area is of itself a sufficient basis to make an investigatory stop, an area's reputation is an integral factor in determining whether reasonable suspicion is warranted in light of the totality of the circumstances. Further, the use of area as a factor has had a major beneficial effect in high crime neighborhoods. It has served as an invaluable tool in providing the residents of these communities with the protection that they rightly deserve.

The use of geographical factors in policing is the subject of extensive ongoing studies.[9] In conducting these studies, researchers rely on computer mapping as a fundamental tool when working with geographical data.[10] Aided by advancements in technology, computer mapping, which can encompass the production of a simple pin map or the complex interactive mapping for detailed geographical analysis, has become an essential part of

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[8]Harris, *supra,* note 1, at 672 (citing Johnson, *supra*, note 2, at 255).

[9]*See generally* Keith Harries, Ph.D., *Geographic Factors in Policing,* POLICE EXECUTIVE RESEARCH FORUM, 1990, at 1 (stating that such study is part of the emerging field of environmental criminology and has "attracted a variety of practitioners, including law enforcement specialists, sociologists, geographers, architects, urban planners, social psychologists, economists, and others who are assessing crime factors and developing ways in which social and physical contexts can be utilized in such a context."), *and* The Institute for Justice Crime Mapping Center (CRMC) <http://www.ojp.usdoj.gov/cmrc/mission/welcome.html>. CRMC is a leader in the development and promotion of crime mapping.

[10]*See* Harries, *supra,* note 5, at 27.

crime prevention in larger cities.[11] Much of this information is used in planning the deployment of resources for the prevention and suppression of criminal activities.[12] In particular, policing strategies, such as community policing and problem-oriented policing, are reaping the benefits of mapping due to their focus on identifying and addressing specific community problems.[13]

An example of the complexity, uses, and benefits of mapping crime and determining high crime areas is illustrated by the experience of the San Diego Police Department:

> [At the] San Diego, CA Police Department, a centralized unit of crime analysts draws on data maintained in a drug information network system. This network accesses several different databases such as crime records, computer-aided dispatch data on drug complaints, citizen reports of drug dealing reported directly to the narcotics section, patrol intelligence data and other drug-related data. Analysts merge data from these systems into a geographical mapping package. The maps and supporting information are sources available to patrol officers and members of the narcotics unit.[14]

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[11]*See generally* J. Thomas McEwen and Faye S. Taxman, *Applications of Computer Mapping to Police Operations,* in *Crime and Place* 259 (John E. Eck and David Weisburd ed., Criminal Justice Press and The Police Executive Research Forum, 1995).

[12]*See generally,* TEMPE IN TOUCH, *infra,* note 18.

[13]Dennis P. Rosenbaum and Paul J. Lavrakas, *Self-Reports About Place: The Application of Survey and Interview Methods to the Study of Small Areas,* in *Crime and Place* 289 (John E. Eck and David Weisburd, ed., *supra*) (highlighting the fact that problem-oriented policing model has forced police administrators and researchers to pay special attention to the location of crime).

[14]McEwen, *supra,* note 7, at 262.

Other cities also use computerized mapping,[15] including:

- Dallas, TX, where the police department merged census data into its record management system, allowing for the production of maps showing the relationships among violent crimes, drug trafficking areas, and demographic characteristics of the city;[16]
- Baltimore, MD, where, through the use of multiple regression models and analytical mapping of spousal assaults and census data, researchers created a model to help police officers identify areas where spousal assault cases may be occurring but are not reported;[17]
- Tempe, AZ, where mapping is used by the Tempe Police Department's Crime Analysis Unit to provide officers with timely and pertinent information relative to crime patterns and trend correlations, which is broken down into areas of just a few blocks, and is readily retrievable at the City website (<http://www.tempe.gov/cau/default.htm>); [18] and
- Chicago, IL, where advanced computerized mapping techniques helped the police department to develop an early warning system for violence, identifying areas that are at high risk for serious street-gang violence and homicide, thus not only saving lives, but identifying areas where local community action groups which work with youth are most needed.[19]

Critics may argue that even when scientific methods based on

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[15]The Crime Mapping Research Center lists 18 cities that actually have current data/crime maps on the Internet, found at <http://www.ojp.usdoj.gov/crmc/weblinks/welcome.html>.

[16]McEwen, *supra,* note 7, at 262.

[17]*Id.* at 271-274.

[18]*Tempe Police Department Crime Analysis Unit*, TEMPE IN TOUCH, <http://www.tempe.gov/cau/default.htm>.

[19]McEwen, *supra,* note 7, at 268-271.

quantifiable evidence are employed, the resultant maps are not reliable because they ignore undetected crime in other areas. The basis for their claim is the mistaken belief that police disproportionately or discriminatorily target areas that have large ethnic or racial minority populations, thus causing those areas to have higher than average arrest statistics. As a result, opponents may contend that the higher arrest rates skew crime incident data, leading to the conclusion that most neighborhoods with a high minority population are high crime areas. This reasoning is flawed. The data used in mapping crime statistics is not based solely on police arrests, but relies heavily on calls for service and victim reports, as well as independent survey data from local residents.[20]

Granted, statistics do show that many high crime areas are in poor urban neighborhoods with large racial or ethnic minority populations.[21] In fact, as a group, minority residents of urban neighborhoods are much more concerned about crime and have higher victimization rates than any other demographic group.[22]

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[20]*See generally* Rosenbaum, *supra,* note 8, at 291; *and* Michael Rand, *Criminal Victimization 1997 Changes 1996-97 with Trends 1993-97*, BUREAU OF JUSTICE STATISTICS NATIONAL CRIME VICTIMIZATION SURVEY, N.J.-173385, Dec. 1998 at 10, which can be found at <http://www.ojp.usdoj.gov./bjs/abstract/cv97.htm>.

[21] *See* Harries, *supra* note 5, at 7 (stating that "[o]lder cities with a concentric pattern of land uses will tend to have crime clustered toward the center, where the poorer population groups are located" and "[w]here low income housing is dispersed in older cities, those nodes of low income housing will tend to become secondary centers of crime."), *and* Carol J. DeFrances and Steven K. Smith, *Crime and Neighborhoods*, BUREAU OF JUSTICE STATISTICS CRIME DATA BRIEF, N.J.-147-005, June 1994, <http://www.ojp.usdoj.bjs.abstract/can.htm> *but see*, Rand *supra* note 15, at 9 (stating that between 1993 and 1997, urban households did experience greater declines in property crime rates than suburban or rural households).

[22]Carol J. DeFrances, Ph.D and Steven K. Smith, Ph.D., *Perceptions of Neighborhood Crime, 1995*, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT, N.J.-165811, April 1998, at 9, <http://www.ojp.usdoj.gov/bjs/abstract/phc95.htm>.

Nevertheless, research also demonstrates that not all poor urban minority neighborhoods suffer from high crime,[23] and that high crime also exists in other neighborhoods as well.[24] This is certainly the case in Chicago, as discussed below.

II

The Respondent's brief in opposition to certiorari asserts that the Illinois Supreme Court paid too much deference to the trial court's finding that District 11, where the incident occurred, is a high crime area.[25] In response, *amicus curiae* maintains that this claim lacks merit, and presents the following statistics in order to dispel any doubts as to whether District 11 is indeed a high crime area, should the Court accept the Respondent's argument, and reject the Illinois Supreme Court's finding that the officer's "uncontradicted and undisputed testimony" was sufficient to establish this fact.

Chicago has 25 police districts. (See Appendix 1 for tables of the police district crime data issued by the Chicago Police

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[23] *See* Harries, *supra*, note 5 at 5 (stating that "[m]uch depends on the prevailing values of the community. Not all poor communities are crime-ridden. In some, community values are strong and tend to curb criminal behavior.").

[24] *Id.* at 7 (stating that: 1) newer cities that don't have a dominant old core area, but have sorted patterns of districts of various types, will tend to have a more dispersed pattern of high crime areas; 2) spread-out shopping areas and an excess of strip commercial development give newer cities a higher potential for property crime; 3) transportation arteries tend to attract or generate criminal activity due to the large number of opportunities and ease of mobility; 4) cities laid out on a grid network are likely to have higher levels of crime because criminals are better able to learn the city and navigate in it; 5) increased crime rates will also tend to follow industrial and commercial activities that move out of central cities to the suburbs; and 6) higher rates of crime often occur around major entertainment areas, such as stadiums).

[25] Respondent's brief in opposition to petition for certiorari at 5.

Department.). In 1997 (the most recent annual information available), District 11 had a higher overall total crime rate than 13 of the 25 police districts, roughly an equal crime rate to two of the districts, and a lower crime rate than 9 of the districts. (In 1997, there were 260,504 serious criminal offenses, excluding drug offenses, committed in Chicago).

When broken down further, however, this data becomes more telling. Although there are 15 police districts in Chicago with larger populations,[26] District 11 had the highest number of murders and robberies (with 69 murders or 9 percent of all murders, and 1,924 robberies or 7.6 percent of all robberies), and the second highest number of criminal sexual assaults and aggravated assaults (with 191 criminal sexual assaults or 7.5 percent of all criminal sexual assaults, and 2,900 aggravated assaults or 7.9 percent of all aggravated assaults) of all the districts in Chicago. This clearly indicates that District 11 is a high crime area.[27] By contrast, 18 districts had higher theft rates than District 11, and for some of these districts, theft accounted for a disproportionately high amount of total crime. Based on this information, the Chicago police officer's assertion that District 11 is a high crime area is based, not on unfounded speculation, but on verifiable and objective facts.

Further, when viewed in combination with Chicago's population, these statistics show that neighborhoods in Chicago, as elsewhere, do not have to be predominately populated by racial or ethnic minorities in order to be labeled as high crime areas. For example, District 18 had 12,312 thefts or just over 10 percent of all thefts, and District 1 had 10,167 thefts or 8.5 percent of all thefts, clearly making these areas "high crime areas." When looking at Districts 1, 18, and 11, we find that, in 1990 (the most recent year

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[26] See Appendix 2.

[27] These statistics do not list drug offenses. Nevertheless, in neighborhoods where drug dealing is commonplace, frequent conflicts over turf arise, leading to correspondingly high levels of violence. *See* Harries, *supra* note 5, at 6.

for which population data are available), District 1 was 66.3 percent white and District 18 was 78.7 percent white, while District 11's population was 96 percent minority.[28]

Thus, a Chicago police officer patrolling any of these locales would take into account that he or she is in a high crime area, when considering the totality of the circumstances applying to a particularly suspicious individual or situation. This rebuts insinuations that using area as a factor in determining "reasonable suspicion" discriminates against racial or ethnic minorities.

C. Even if it could be shown that the police officer in this case disproportionately applied *Terry* stops based on suspect class, the appropriate remedy would not be a weakening of Fourth Amendment jurisprudence under *Terry*, but rather administrative remedies, disciplinary actions, and relief under 42 U.S. Code Section 1983.

Amici curiae law enforcement officer associations condemn any instances of blatant racial or ethnic discrimination by law enforcement officers, including *Terry* stops, based solely on an individual's race or ethnicity, and not on reasonable suspicion. Such discrimination not only violates the law which officers have sworn to uphold, but also ruins the bonds of community trust and the public's expectation of fairness in the equal application of the law. If it were shown that *Terry* stops were applied disproportionately based on a suspect class, rather than on reasonable suspicion, the remedy would not be to weaken Fourth Amendment jurisprudence, but rather to pursue remedies that address the source of the problem, such as administrative remedies, disciplinary action, or recourse under Section 1983. To do otherwise would be tantamount to beginning a process of racial and ethnic parity in fighting crime.

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[28]See Appendix 2.

Irrespective of remedies, *amici curiae* urge the Court to consider the ramifications of any restrictions placed on law enforcement officers based on the race or ethnicity of those properly stopped for investigative purposes. If law enforcement officers cannot patrol high crime areas with large minority populations, or must be reluctant to stop individuals when they have reasonable suspicion to do so--fearing accusations of discrimination or racism--then we, as a society, will be subjected to an unofficial law enforcement practice of reverse discrimination or unofficial parity based on race or ethnicity. Most Americans do not want, and the U.S. Constitution does not compel, government agencies to adopt and apply either official or unofficial law enforcement policies of reverse discrimination or parity. Such policies could result in 1) a lesser amount of evidence being required for reasonable suspicion as applied to whites, and a greater amount of evidence being required for reasonable suspicion as applied to individuals of color, or 2) selective or reduced law enforcement, such as decisions not to patrol high crime areas in minority neighborhoods as frequently, notwithstanding suspected criminal activity, either of which would likely constitute a denial of equal protection under the law.

In summary, the Court may be tempted to consider an anticipated argument by an *amicus curiae* supporting the Respondent, asserting that designating an area populated mostly by individuals of color as a high crime area is, at best, an insensitive and discriminatory policy, or, at worse, a blatantly racist act, and that otherwise proper investigative stops of individuals in such areas under the *Terry* standard promote such an improper policy or act and must be rejected as constitutional violations. The day-to-day experience of law enforcement officers and the detailed and thorough collection and analysis of crime data, described above, should lay waste to that claim.

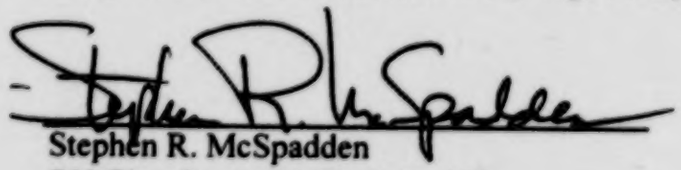
If, however, the Court accepts that position and renders a decision in this case based on it, then law enforcement officers across the country will be deterred from enforcing the laws in predominately minority neighborhoods with high criminal activity. This would send the wrong message to criminals across the country and would likely increase crime, victimizing those law-abiding persons living in these high crime neighborhoods. In terms of this case, raising the bar on the *Terry* standard of investigative stops in crime-ridden inner city neighborhoods would not rid this Nation of discrimination, but would only result in increasing rates of criminal victimization of individuals belonging to a racial or ethnic minority in neighborhoods already plagued by high crime rates. The Court should reject that path.

CONCLUSION

For the foregoing reasons, *amici curiae* National Association of Police Organizations, Police Benevolent and Protective Association of Illinois, and Illinois Police Association urge the Court to validate the reasonableness of the investigative detention of the Respondent in this case and to uphold the constitutionality of the search and arrest of the Respondent, based on reasonable suspicion that the Respondent was engaged in criminal behavior. The Court's decision should be based on the Respondent's flight from the police or, alternatively, on both that flight and the his presence in a definite high crime area.

Therefore, *amici curiae* respectfully request that the Court reverse the judgment in this case of the Supreme Court of the State of Illinois.

Respectfully submitted this twenty-eighth day of June 1999,



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APPENDIX ONE

Annual Report 1997-Chicago Police Department *fig.6c-index crimes by police district*

Source: http://www.ci.chi.il.us/CommunityPolicing/Statistics/Reports/97AnnRprt/97CrimeTrends.pdf

District	murder	criminal sexual assault	robbery	aggrav. assault	burglary	theft	motor vehicle theft	arson	total
1	4	28	427	266	381	10,167	508	4	11,785
2	44	198	1,578	3,119	1,428	3,535	953	39	10,894
3	52	175	1,481	2,000	1,738	3,868	1,510	67	10,891
4	44	150	1,137	2,026	2,246	4,159	1,809	78	11,649
5	40	164	1,025	2,222	1,561	3,260	1,515	93	9,880
6	57	161	1,683	2,072	2,686	4,874	1,965	69	13,567
7	55	188	1,628	3,250	1,919	3,778	1,566	78	12,462
8	46	111	1,220	1,372	2,971	7,337	2,693	85	15,835
9	43	96	1,063	1,872	2,227	4,941	1,687	105	12,034
10	45	119	1,084	1,727	1,391	3,212	1,454	81	9,113
11	69	191	1,924	2,900	1,099	3,310	1,294	68	10,855
12	22	60	687	1,256	770	4,555	1,078	44	8,472
13	26	50	713	834	977	2,962	761	74	6,397
14	28	94	1,195	1,605	2,340	5,557	1,814	99	12,732
15	38	114	1,333	1,603	1,184	2,713	1,076	49	8,110
16	6	23	302	357	1,718	4,526	1,105	39	8,076
17	14	70	659	779	1,803	4,041	1,377	71	8,814
18	6	42	696	787	1,370	12,312	919	27	16,159
19	5	37	459	422	1,861	5,065	934	28	8,811
20	3	52	427	644	1,082	2,920	653	21	5,802
21	19	89	817	998	978	5,519	1,259	33	9,712
22	21	90	695	971	1,374	2,916	1,209	44	7,320
23	11	44	568	555	829	3,744	640	18	6,409
24	19	81	803	927	1,830	4,561	1,094	41	9,356
25	42	118	1,685	1,955	2,869	5,777	2,734	189	15,369
total	**759**	**2,545**	**25,289**	**36,519**	**40,632**	**119,609**	**33,607**	**1,544**	**260,504**

Note: Districts vary widely in geographic size and population. Therefore, direct district-to-district comparisons should be avoided.

APPENDIX TWO

1990 Population by Police District
Source: http://www.ci.chi.il.us/CommunityPolicing/Statistics/PopByDistrict.html

District	White	Black	Asian	Native Amer.	Other	Total*	Hispanic*
1	11,571	5,049	607	41	188	17,456	897
2	208	65,460	50	67	49	65,834	229
3	2,752	84,054	332	117	201	87,456	667
4	37,646	88,981	407	276	17,024	144,334	29,331
5	3,277	94,771	115	82	1,652	99,897	2,925
6	1,964	112,017	91	106	146	114,323	529
7	856	105,276	120	106	184	106,542	594
8	163,554	22,135	2,333	371	19,089	207,481	33,666
9	78,091	37,844	9,382	414	30,639	156,369	48,578
10	26,202	47,847	403	321	57,059	131,832	76,874
11	3,617	91,099	319	132	3,387	98,554	5,900
12	19,103	20,343	2,409	227	27,740	69,823	37,279
13	31,245	15,634	741	237	18,227	66,084	33,369
14	59,328	12,078	2,022	612	54,967	129,007	84,183
15	2,809	60,652	173	51	271	63,956	836
16	176,085	677	4,886	249	2,184	184,081	8,836
17	97,216	2,401	20,755	541	14,396	135,309	32,854
18	76,655	17,007	2,404	155	1,149	97,370	3,273
19	84,150	4,415	5,642	574	12,490	107,270	25,645
20	62,795	13,726	16,258	734	10,994	104,508	20,460
21	18,712	43,306	6,253	116	557	68,944	1,474
22	45,096	71,314	306	132	342	117,190	1,290
23	67,356	14,612	6,595	544	5,858	94,964	11,977
24	88,645	23,104	17,130	528	8,274	137,682	19,122
25	104,592	33,910	4,385	332	34,243	177,462	65,068
total	**1,263,524**	**1,087,711**	**104,118**	**7,064**	**321,309**	**2,783,726**	**545,852**
Percent	45.40%	39.10%	3.70%	0.30%	11.50%	100.00%	19.60%

* The "Hispanic" totals presented in the right-most column represent a duplicate count and should not be added to the "Total" column. Hispanics may be of any race, and are already included in the racial counts.

Data compiled by Wes Skogan, Northwestern University, for the Chicago Community Policing Evaluation Consortium, are based on 1990 Census figures.